



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

PFE ORIGINAL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Nestle Purina
2050 Pope Road
Allentown, PA 18104

MAR 18 2014

Re: SPCC case number TBA-PA-2014-00032
Release date: January 13, 2014

Dear Sir/Madame:

The purpose of this letter is to determine whether you/your facility is in compliance with the Spill Prevention, Control and Countermeasures (SPCC) Regulations found at Title 40 C.F.R. Part 112, as well as request information about a release that occurred at your facility on January 13, 2014. You/your facility is hereby required to submit to the U.S. Environmental Protection Agency (EPA) the information requested herein within thirty (30) days of your receipt of this letter pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a).

1. Does your Facility store oil in the amount of 1,320 gallons or more above ground, (using a de minimus container size of 55 gallons), or store oil in excess of 42,000 gallons underground (excluding completely buried storage tanks subject to all the technical requirements of the Underground Storage Tank (UST) regulations [40 C.F.R. Parts 280 or 281])? Yes or No: _____

If the answer to Question 1 is "No", answer Question 6 only, and return this document to EPA. If the answer is "Yes", on a separate sheet, answer Questions 2, 3, 4 and 5 and then continue filling in the blanks for the remaining questions.

2. List the full names of all owners of the Facility, including persons and incorporated or unincorporated entities. Include the dates of ownership for each person/entity listed.
3. List the full names of all operators of the Facility, including persons, and incorporated or unincorporated entities. Include the dates of operation for each person/entity listed.
4. Identify the names and addresses of all partners of the Facility if any, or ever was, a partnership of any kind. Include the dates of the partnership(s).
5. Describe the corporate or business identity of the Facility (e.g., corporation, partnership, fictitious name, unincorporated division, etc.). If a corporation, identify state of

incorporation and date. If a partnership, identify date of formation and partnership purpose.

6. List the type of oil and total storage capacities at the Facility for any oil related products. Describe the storage tanks at the Facility, (e.g., aboveground, underground, etc.).

7. Identify the date each oil storage tank was installed at the Facility.

8. List oil-filled operational equipment and associated storage capacities (*see Enclosure 1 for definition*).

9. List mobile refuelers or other tanker trucks capable of storing oil and associated capacities which are parked at the facility (*see Enclosure 1 for definition*).

10. List the date the Facility began operations. _____
11. Does your Facility have an SPCC Plan certified, signed by a Professional Engineer with an affixed seal and implemented in accordance with 40 C.F.R. Part 112.3(d)? **Or** an SPCC Plan self-certified by the Facility owner/operator in accordance with 40 CFR Part 112.6(a)? Yes or No: _____. **If the answer is "Yes", please submit a copy of the SPCC Plan.**
12. List the date of your SPCC Plan. _____
13. Describe the surface water body nearest to and provide the distance from the Facility.
Distance: _____
 - a. Is the water, as described above, a navigable waterway? (*See Enclosure 1 for definition.*) Yes or No: _____
 - b. Is the water a tributary of or physically connected to a navigable waterway? Yes or No: _____
 - c. If the answer to 13(b) is yes, describe or name the tributary(s) or describe the physical connections.

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- d. If the answer to 13(b) is no, does the water described above in Item 13 periodically connect with or flow into any hydrological or creek system? If yes, describe the flow and connection.
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14. Has your Facility had a single discharge, as described in 40 CFR Part 112.1(b), greater than 1,000 gallons of oil in the past 12 months? Yes or No: _____
- a. If yes, provide the date of spill? _____
15. Has your Facility had two discharges, as described in 40 CFR Part 112.1(b), of more than 42 gallons of oil each within any 12 months? Yes or No: _____
- a. If yes, provide the dates of spills? _____
16. Please describe the procedures in place to prevent any discharges from reaching a navigable waterway.
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17. Identify all substances released from the Facility during the **January 13, 2014** incident. Specifically, identify:
- The name and Chemical Abstract Services ("CAS") Number for each substance released;
 - For oils, identify the type and grade;
 - Provide the quantity, concentration of each substance released and the method by which the concentration was measured or estimated. For mixtures, provide the name, quantity, and concentration of each constituent of that mixture;
 - Provide the solubility and specific gravity of each substance released.
18. Describe the physical source (including, but not limited to vehicle, outfall, tank, container, pipe, ditch, conduit, or equipment) at the Facility from which the oil and/or hazardous substance or substances (the term "substance" as used here includes both oils and hazardous substances) initially was released. If the substance was released from more than one source, please identify each specific source.
19. Provide the total quantity of undiluted substance(s) released in gallons for oils and in pounds for hazardous substances.

20. Identify the first body of water that the substance reached. Identify the actual or estimated quantity of the substance(s) that entered that water body. Describe the location of any other water bodies that the substance(s) subsequently entered, including the actual or approximate distance from the Facility. In addition, state the actual or estimated quantity of the substance(s) that entered those additional water bodies.
21. Describe any damage to animal life or vegetation that you observed or otherwise have knowledge of.
22. Provide a complete description of the cause or causes of the discharge.
23. Describe all steps taken to contain and clean up the spill and to mitigate any environmental damage and/or threat to human health.

Please certify the above information in the following manner:

I hereby certify the above to be true and accurate to the best of my knowledge.

Signature: _____ Date: _____

Name (please print or type): _____

Title: _____

Telephone Number: _____

If you/your facility fail to properly respond to this request, you/your facility may be subject to the following penalties. Pursuant to Section 309(g) of the Act, 33 U.S.C. § 1319(g), any person who violates Section 308 of the Act is subject to administrative penalties. Pursuant to Section 309(d) of the Act, 33 U.S.C. § 1319(d), any person who violates Section 308 of the Act is subject to a civil penalty of up to \$37,500 per day of violation. In addition, pursuant to Section 309 (c)(1) of the Act, 33 U.S.C. § 1319(C)(1), any person who negligently violates Section 308 of the Act may be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or by both.

In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

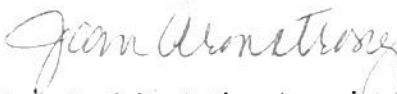
Your response should be submitted within **thirty (30) days** of your receipt of this letter to:

**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION III, ARLIN GALARZA-HERNANDEZ
OIL AND PREVENTION BRANCH (3HS61)
1650 ARCH STREET
PHILADELPHIA, PA 19103-2029**

Enclosed for your review and information is a copy of the Oil Pollution Prevention Outreach Material CD, dated February 2012, as prepared by EPA, Region III. This CD includes applicable regulations; 40 C.F.R. Part 109, 40 C.F.R. Part 110, 40 C.F.R. Part 112, and 33 C.F.R. §§ 153.201, 153.203, 153.205; in addition to Region III's SPCC and Facility Response Plan (FRP) Information Guides, and the SPCC Guidance for Regional Inspectors, as prepared by EPA Headquarters. For the most recent information concerning the Oil Pollution Prevention Regulations, please consult the National EPA Oil Program website at: <http://www.epa.gov/oilspill>. This information request is not subject to review by the Director of OMB pursuant to the requirements of the Paperwork Reduction Act, 44 U.S.C. § 3507.

If you have any questions on this matter, you may call Arlin Galarza-Hernández at (215) 814-3223.

Sincerely,


Peter Ludzia, Acting Associate Division Director
Office of Enforcement
Hazardous Site Cleanup Division

Enclosures

cc: case file

